



Reverend Al Sharpton, President & Founder  
Reverend Dr. W. Franklyn Richardson, Chairman

National Action Network, Inc.

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December 6, 2016

**VIA ECF**

Honorable Vernon S. Broderick  
United States District Judge  
U.S. District Court  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square, Room 415  
New York, NY 10007

Re: **Anders et al. v. Verizon Communications Inc. et al.**  
**1:16-CV-05654 (VSB)**  
**Letter Response to Plaintiffs' Letter Motion to Adjourn Conference**

Dear Judge Broderick,

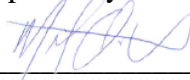
I am writing on behalf of Reverend Al Sharpton and National Action Network ("NAN"), named defendants, to respond to Plaintiffs' letter motion to adjourn the pre-motion conference scheduled in this matter for Thursday, December 8, 2016, and filed via ECF on 12/6/2016. Sharpton and NAN did not receive plaintiffs' email and phone messages until after Plaintiffs had filed on ECF. Plaintiffs' effort to both email and call the parties in this action happened in the late afternoon and just prior to Plaintiffs' ECF filing.

Sharpton and NAN take no position on Plaintiffs' request for an Adjournment and leaves that to the Court's good judgment. However, Sharpton and NAN wish to point out that Plaintiffs' failed to timely respond to their request for a pre-motion conference which was filed on 10/31/2016. In fact, Plaintiffs' failed to respond to that pre-motion request until after the Court issued its scheduling order on 11/28/2016. Likewise, Plaintiffs have failed to timely respond to Verizon's and Cellco's request for a pre-motion conference which was filed on 11/30/2016. Timely responses may have avoided the need for an adjournment of the scheduled conference. Sharpton and NAN do believe that the requested pre-motion conferences and its subsequent scheduling should be considered together, particularly since Sharpton and NAN is requesting dismissal upon several grounds including Abstention pursuant to *Colorado River Water Conservation District v. United States*, 424 U.S. 800 (1976).

Sharpton and NAN do respectfully request that if the Court grants Plaintiffs' request to adjourn the pre-motion conference until mid-January, that the Court selects a date on or after January 17, 2017.

Thank you for your consideration of these requests.

Respectfully submitted,



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Michael A. Hardy, Esq.  
General Counsel

cc: Japheth N. Matemu, Esq. (Plaintiffs' Counsel)  
Raymond G. McGuire, Esq. (Counsel for Verizon Comm. Inc & Cellco)  
Kristina C. Hammond, Esq. (Counsel for Verizon Comm. Inc. & Cellco)  
Via ECF